

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

DANIEL W. ETTLING,

No. 3:22-cv-02000-SB

Plaintiff,

OPINION AND ORDER

v.

TEENY FOODS CORPORATION,
an Oregon corporation,

Defendant.

BAGGIO, District Judge

INTRODUCTION

On 10/9/2024, Magistrate Judge Beckerman issued her Findings and Recommendation (“F&R”) [41], recommending that I GRANT IN PART and DENY IN PART Defendant Teeny Foods Corporation’s motion for summary judgment [27].

DISCUSSION

The magistrate judge makes only recommendations to the Court, to which any party may file written objections. 28 U.S.C. §§ 636(b)(1)(B)-(C). If a party objects, the Court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendation to which objection is made.” *Id.* § 636(b)(1)(C). The Court is not, however, required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *Thomas v.*

Arn, 474 U.S. 140, 149 (1985); *United States v. Ramos*, 65 F.4th 427, 433 (9th Cir. 2023). While the level of scrutiny that the Court applies to its F&R review depends on whether a party has filed objections, the court is free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C); *see also Thomas*, 474 U.S. at 154.

CONCLUSION

Upon review, I agree with Judge Beckerman's recommendation and I ADOPT the F&R [41] in full. Defendant Teeny Foods Corporation's Motion for Summary Judgment [27] is DENIED in part and GRANTED in part.

IT IS SO ORDERED.

DATED this 13th day of December, 2024.

Amy M. Baggio

AMY M. BAGGIO
United States District Judge